IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7492 OF 2003

Ishwarlal C. Rana ..Petitioner.
Vs.
Union of India & Ors. ..
Respondents.

...

Mr. P.M. Shah for the Petitioner.
Mr. K.B. Rao for Respondent No.1.

....

CORAM: KSHITIJ R. VYAS, C.J. &
DR.D.Y.CHANDRACHUD, J.

20th April, 2006.

P.C. :

The Petitioner on 2nd April, 1986 submitted an application to the Collector, Daman District, Daman, Respondent No.3 herein through the Assistant Secretary (Social Welfare) for grant of recognition as a Freedom Fighter and for pension. It is the grievance of the Petitioner that till date the said application has not been decided, even though the Petitioner made several representations to the concerned Respondent. In the affidavit in reply filed by Respondent, No.1, the Section Officer in the Ministry of Home Affairs, it has been pointed out that as per the available record, no application of the Petitioner for grant of Swatantrata

Sainik Samman Pension was ever received in that Ministry through the State Government along with their verification and entitlement to pension report which is mandatory under the pension scheme. It is pointed out that if the same is received by the Ministry, then the Ministry will consider his claim in accordance with the instructions/ norms/ criteria laid down in the Swatantrata Sainik Samman Pension Scheme, take appropriate decision and communicate the same to the Petitioner. In view of this, we dispose of this Petition by the following directions :

Respondent Nos.3 shall take an appropriate decision on the application filed by the Petitioner on 2nd April, 1986 within a period of two months from today and shall forward it to the First Respondent, the Union of India, immediately thereafter. On receipt of the same, the Union of India shall take appropriate decision within a period of two months and shall communicate the decision to the Petitioner within two weeks thereafter. It would be open to the Petitioner to supply additional material in support his claim to the Second Respondent.

With the above directions the Petition stands disposed of.

CHIEF JUSTICE

(DR. D.Y. CHANDRACHUD, J.)